

REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully solicited.

In the Office Action under reply, U.S. Published Application 2002/0191950 (Wang) was relied upon to reject all of the claims of the instant application. Wang was cited as an anticipatory reference against claims 1-3, 5-8, 10-12, 14-17, 19-22, 24-27, 29-33, 35-39, 41-43, 55-57, 59-67, 69-78 and 80. Wang was combined with U.S. Patent 7,013,477 (Nakamura) to reject claims 4, 13, 23, 28, 34, 40, 58, 68 and 79 under 35 USC 103. Wang was combined with U.S. Patent 6,434,746 (Nagashima) to reject claims 9, 18, 44-46, 48-51, 53 and 54. Finally, Wang was combined with both Nakamura and Nagashima to reject claims 47 and 52.

Of the rejected claims, claims 1, 10, 19, 20, 25, 30, 31, 37, 43, 44, 49, 54, 55, 65, 75 and 76 are independent. It is believed these claims, as originally filed, recite subject matter that is patentably distinct over the cited references. However, in an effort to expedite the successful prosecution of the present application, these independent claims are amended to clarify the "limitation information" recited therein. It is respectfully submitted these independent claims, together with those claims dependent thereon, are patentably distinct over Wang, Nakamura and Nagashima, taken alone or in combination.

Wang is directed to a technique that disables a "skipping function" when playing back recorded television programs, thereby preventing a user from "fast forwarding" or "skipping" through recorded commercials (see, for example, paragraphs [0008], [0022], [0025]-[0029] and [0072]-[0073] of Wang). Contrary to the characterization of Wang as set out in the Office Action under reply, and particularly section 4 thereof, Wang does not describe "limitation information" that limits the reproduction operation of data. Rather, the content classification

signal of Wang indicates the presence of a commercial which, rather than limiting the reproduction of that commercial, forces such reproduction.

Applicant's claim 1 particularly describes the limitation information as:

limiting reproduction speed of said main data to a predetermined range of reproduction speeds whose upper limit is a fast reproduction speed, but less than user-selected fast reproduction speeds and cannot be overridden by the user when reproducing the main data.

Thus, the limitation information recited by claim 1 limits the speed at which data, such as commercial data, is reproduced to a predetermined range of speeds whose upper limit is a fast speed, which Wang specifically prevents. That is, Wang teaches away from Applicant's invention. Whereas Wang prevents fast forwarding through a commercial, the present invention not only permits such fast forwarding but assures that the quality of the commercial that is reproduced at fast speed is of good quality. Thus, Wang neither anticipates nor renders obvious Applicant's claim 1.

The addition of Nakamura and/or Nagashima fails to cure this deficiency of Wang. Therefore, even if Wang is combined with either of these secondary references, the resultant combination still would not provide "limitation information" that limits the reproduction speed of main data "to a predetermined range of reproduction speeds whose upper limit is a fast reproduction speed, but less than user-selected fast reproduction speeds and cannot be overridden by the user."

All of the remaining independent claims include substantially the same limitation as quoted above and found in claim 1. Therefore, these remaining independent claims likewise are patentably distinct over Wang, taken alone are in combination with Nakamura and/or Nagashima for those reasons discussed above.

Claims 2 and 4-9 depend from claim 1 and are patentably distinct over the cited references for those reasons previously asserted. It is noted, here, that in rejecting claim 2, the Examiner asserts that Wang teaches the presence of frame rate information by reason of the fact that Wang's content classification signal inherently includes information of the frame rate. It is respectfully submitted that paragraph [0028] of Wang, particularly referenced by the Examiner, fails to include any suggestion of frame rate information. It also is noted that, in rejecting claim 9, the Examiner contends that Nagashima teaches an adjuster that adjusts the frame rate of data. However, Nagashima merely selects whether I, P or B frames are transmitted, depending upon traffic information. This has nothing to do with adjusting the frame rate; and there is no adjustment of a frame rate.

Claims 11 and 13-18 depend from claim 10 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 21 and 23-24 depend from claim 20 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 26 and 28-29 depend from claim 25 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 32 and 34-36 depend from claim 31 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 38 and 40-42 depend from claim 37 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 45 and 47-48 depend from claim 44 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 50 and 52-53 depend from claim 49 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 56, 58-62 and 64 depend from claim 55 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 66, 68-72 and 74 depend from claim 65 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 77 and 79-8 depend from claim 76 and are patentably distinct over the cited references for those reasons previously asserted.

Claims 3, 12, 22, 27, 33, 39, 46, 51, 57, 63, 67, 73 and 78 are canceled to be consistent with the amendments made to the independent claims.


Accordingly, it is respectfully submitted that all the claims remaining in this application are in condition for allowance. Early notice to this effect is respectfully solicited.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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